APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/518,359	03/03/2000	William Russell Belknap	ST9-99-086	5222

27885 7590 12/03/2003		EXAMINER	
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP		CHANG, JUNGWON	
1100 SUPERIOR AVENUE, SEVENTH FLOOR			
CLEVELAND, OH 44114		ART UNIT	PAPER NUMBER
		2154	

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicati n N . 09/518,359		Applicant(s) BELKNAP ET AL.	
	Examiner Jungwon Chang		Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the corresp ndence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _amendment filed 9/9/03_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-3,5-24,26-37 and 39-53_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,2,5-23,26-36 and 39-53_ is/are rejected.

7)☒ Claim(s) _3,24 and 37_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _5_.

4)☐ Interview Summary (PTO-413) Paper No(s). _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

FINAL ACTION

1.   Claims 4, 25 and 38 are cancelled, claims 51-53 are newly added, and claims 1-3, 5-24, 26-37 and 39-53 are presented for examination.

2.   The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 52 has been renumbered claim 53 (claim 52 is duplicated).

3.   The text of those sections of Title 35, U. S. Code not included in this office action can be found in a prior office action.

4.   Claims 1, 2, 5-23, 26-36 and 39-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katinsky et al. (6,452,609 B1), hereinafter referred to as Katinsky, in view of Yost et al. (US 6,567,796 B1), hereinafter referred to as Yost.

5.   As to claims 1 and 19, Katinsky discloses the invention substantially as claimed, including a method for providing a user interface at an terminal in a network for managing

operations including encoding operations performed on media data by selected ones of a

plurality of media servers (col. 1, line 60 – col. 2, line 4; col. 10, lines 9-16; col. 12, lines

61-66), the process comprising the steps of:

displaying a graphical user interface at the terminal (figs. 1-9), said interface

including a plurality of interface components enabling a user to select a manual encoding

mode for manually starting and stopping manual encoding processes to be performed by

selected ones of the servers (col. 6, lines 1-6 and 10-18);

receiving information input by the user specifying a selected one of the media

servers, a selected mode of operation, and an encoding operation (col. 4, lines 12-20 and

56-65);

generating commands and associated parameters based on the input information

for instructing the selected server to execute the specified encoding operation in

accordance with the selected mode of operation (col. 12, lines 61-63; col. 14, lines 13-18);

and

transmitting said commands and said associated parameters to said selected

server (col. 12, lines 63-66).

6.   Katinsky does not specifically disclose centralized user interface at an administrator

terminal; a scheduled encoding mode for defining schedules for scheduled encoding

processes to be performed by selected ones of the servers. However, Yost disclose

centralized user interface at an administrator terminal (col. 3, lines 60-67; col. 4, lines 1-14

and 36-51); a scheduled encoding mode for defining schedules for scheduled encoding

processes to be performed by selected ones of the servers (44, fig. 1; col. 4, lines 22-35; col. 12, lines 37-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Katinsky and Yost because Yost's centralized user interface and scheduled encoding mode would increase data throughput by allowing the administrator to control and manage the operation of the service processing to the user (Katinsky's reference, col. 4, liens 38-48), thereby allowing a user to timely download the desired multimedia content from the appropriate server.

7.   As to claim 2, Katinsky discloses each of the media servers is communicatively coupled with at least one corresponding multimedia device capable of generating media data (col. 9, lines 20-24).

8.   As to claim 5, Katinsky and Yost do not specifically use a word an applet. However, Katinsky discloses JavaScript (col. 1, lines 32-40), and Yost discloses web browser (col. 15, lines 17-37). It would have been obvious one of ordinary skill in the art at the time the invention was made to include applet because Java applet executes within a web browser to quickly and easily download data from server to client, thereby allowing a user to display information on user's window.

9.   As to claims 6, 7 and 15, they are rejected for the same reasons set forth in claim 1.

10.   As to claim 8, Katinsky discloses each of the servers is operative to access at least

one corresponding memory device for storing media data, and wherein each of the

servers is further operative to record selected portions of encoded media data that are

encoded during said encoding operations (1010, 1012, 1014, fig. 10; col. 9, lines 20-46

and 63-67; col. 10, lines 9-16).

11.   As to claims 9 and 14, Katinsky further discloses displaying a name selection

interface component enabling the user specify an asset name for said encoded portion of

media data to be stored at said selected storage location (col. 5, lines 10-16; col. 4, liens

56-65).

12.   As to claim 10, Katinsky discloses overwriting option selection (col. 11, lines 34-38;

col. 9, lines 60-61).

13.   As to claims 11-13, Katinsky does not specifically disclose a plurality of end user

terminals communicatively coupled to the administrator terminal and to the servers.

However, Yost discloses a plurality of end user terminals (40a-40e, fig. 1) communicatively

coupled to the administrator terminal (20, fig. 1) and to the servers (12, 14, fig. 1). It would

have been obvious to one of ordinary skill in the art at the time the invention was made to

combine the teachings of Katinsky and Yost because Yost's communicatively coupling

between them would increase throughput by allowing the administrator to control and

manage the operation of the service processing to the user (Katinsky's reference, col. 4,

liens 38-48), thereby allowing a user to download the desired multimedia content from the

appropriate server.

14.   As to claims 16 and 17, Katinsky does not specifically disclose notification

operations include determining success or failure of the streaming specified by the

corresponding playback operation. However, Yost discloses notification operations

associated with corresponding ones of the playback operations (col. 13, lines 33-45). It

would have been obvious to one of ordinary skill in the art at the time the invention was

made to combine the teachings of Katinsky and Yost because Yost's notification

operations would improve the performance of Katinsky's system by eliminating costs

associated failed communication attempts while the system is down or crash, thereby the

user may specify particular actions to be performed.

15.   As to claim 18, Katinsky does not specifically disclose wherein the administrator

terminal includes a processing unit, a browser application executed by the processing unit,

and a display unit (col. 10, lines 35-48; col. 12, lines 10-18). However, Yost disclose

wherein the administrator terminal includes a processing unit, a browser application

executed by the processing unit, and a display unit. It would have been obvious to one of

ordinary skill in the art at the time the invention was made to combine the teachings of

Katinsky and Yost because Yost's peripheral devices at the administrator's system would

provide expansion capability of Katinsky's system by allowing the administrator to

remotely view the user's activity, manage and control the operation of the service

processing to the user.

16.   As to claim 20, it is rejected for the same reasons set forth in claim 2.

17.   As to claim 21, it is rejected for the same reasons set forth in claim 18.

18.   As to claim 22, Katinsky discloses the invention substantially as claimed in claim 1.

In addition, Katinsky discloses a machine readable storage device having stored therein

encoding instructions for executing a process of providing a user interface (1010, 1012,

1014, fig. 10; col. 9, lines 20-46 and 63-67; col. 10, lines 9-16).

19.   As to claim 23, it is rejected for the same reasons set forth in claim 2.

20.   As to claim 26, it is rejected for the same reasons set forth in claim 5.

21.   As to claims 27 and 28, they are rejected for the same reasons set forth in claim 1.

22.   As to claim 29, it is rejected for the same reasons set forth in claim 8.

23.   As to claim 30, it is rejected for the same reasons set forth in claim 9.

24.   As to claim 31, it is rejected for the same reasons set forth in claim 10.

25.   As to claims 32-34, it is rejected for the same reasons set forth in claims 11-13.

26.   As to claim 35, Yost and Katinsky do not specifically use a word an applet.

However, Yost discloses web browser (col. 15, lines 17-37); and Katinsky discloses

JavaScript (col. 1, lines 32-40). It would have been obvious one of ordinary skill in the art

at the time the invention was made to include applet because Java applet executes within

a web browser to quickly and easily download data from server to client, thereby allowing

a user to display information on user's window.

27.   As to claim 36, it is rejected for the same reasons set forth in claim 2.

28.   As to claims 39, 40, 47 and 50-53, they are rejected for the same reasons set forth

in claims 1 and 19.

29.   As to claim 41, it is rejected for the same reasons set forth in claim 8.

30.   As to claim 42, it is rejected for the same reasons set forth in claim 9.

31.   As to claim 43, it is rejected for the same reasons set forth in claim 10.

32.   As to claims 44-46, it is rejected for the same reasons set forth in claims 11-13.

33.   As to claims 48 and 49, it is rejected for the same reasons set forth in claims 16

and 17.

34.   As to claim 50, Katinsky discloses the client also includes a processing unit, a

browser application executed by the processing unit, and a display unit (1030, 1004, fig.

10; col. 10, lines 17-25).

35.   Claims 3, 24, and 37 are objected to as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

36.   Applicant's arguments filed 9/9/03 have been fully considered but they are not

persuasive.

37.   In the remarks, applicants argued in substance that

(1)   Neither of the references discusses encoding.

(2)   Scheduling the playing of media in a playlist does not constitute a "manual

encoding process" as claimed. Additionally, automatically generating reports of selected

data at scheduled time does not constituted a "scheduling encoding process" as

claimed. Furthermore, even if selecting a play list and automatically generating reports

could be considered "manual encoding" and 'scheduling encoding" processes as

claimed, there is no suggestion or motivation to combine the references.

38.   Examiner respectfully traverses applicants' remark.

As to point (1), encoding is the process of converting video and/or audio into a digital

file capable of being sent over the Internet is well known in the art. Katinsky discloses

converting the media streams (i.e., video, audio, etc.) into a digital format (i.e.,

hypertext markup language (HTML)), thereby allowing a user or administrator to receive

a web page contains URL reference to the media file (Katinsky, col. 3, line 63 – col. 4,

line 1; col. 6, lines 1-18).

As to point (2) Katinsky discloses a terminal (1002, fig. 10) that includes web server

(1020, fig. 10) and plurality of media servers (1025, fig. 10). Katinsky also discloses site

manager (i.e., network administrator or Internet service provider; col. 8, lines 29-32; col.

9, lines 30-33) that provides media contents to allow a user to manually select the

content to download from the desired web/media server are well known in the art.

Furthermore, Yost discloses a user select a manual encoding for starting and stopping

encoding processes (col. 12, lines 3737-44). In addition, Yost discloses administrator

terminal manages the scheduling of services (i.e., delivering the media content) to the

user (col. 4, lines 1-10; col. 12, lines 10-18 and 37-54).

39.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

40.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jungwon Chang whose telephone number is (703)305-

9669. The examiner can normally be reached on 8:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone numbers for

the organization where this application or proceeding is assigned are (703)746-7239 for

regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703)305-

9669.

ZARNI MAUNG
PRIMARY EXAMINER

Jungwon Chang
December 1, 2003